

Panaji, 28th June, 1984 (Asadha 7, 1906)

SERIES I No. 13

OFFICIAL



GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Department of Personnel and Administrative Reforms

Notification

1/13/76-PER(Vol.III)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Government of India, Ministry of External Affairs Notification No. 7(11)/62-Goa dated 25-7-1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Group 'C' and Group 'D' Non-Ministerial Non-Gazetted posts in the Public Works Department under the Government of Goa, Daman and Diu issued under Notification No. 1/13/76-PER (Vol.III) dated 6th August, 1982, published in Official Gazette No. 21, Series I, dated 19th August, 1982.

1. *Short title and commencement*:—

- i) These rules may be called the Government of Goa, Daman and Diu, Public Works Department, Group 'C' and Group 'D' posts Recruitment (First Amendment) Rules, 1984.
- ii) These rules shall come into force from the date of publication of this Notification.

2. In the Notification cited above the following relaxation clause shall be added after rule 4(C) as rule 4 (d).

Power to relax: Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 16th June, 1984.

Local Administration and Welfare Department
GOA, DAMAN AND DIU HOUSING BOARD

Notification

In exercise of the powers conferred by Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), and all other powers enabling it in this behalf, the Goa, Daman and Diu Housing Board with the previous approval of the Government hereby makes the following regulations so as to amend the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982, namely:—

1. *Short title and commencement*.— (1) These regulations may be called the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) (Amendment) Regulations, 1984.

(2) They shall come into force at once.

2. *Amendment of regulation 6*.— In regulation 6 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982, for sub-regulation (2), the following sub-regulation shall be substituted, namely:—

“(2) The deposit payable shall be Rs. 5,000/- and shall bear simple interest at the same rate per annum as fixed by the banks for savings account, at the time the deposits are made by the applicant.”

V. R. Naik, Chairman.

Panaji, 21st June, 1984.

Notification

In exercise of the powers conferred by section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968), and all other powers enabling it in this behalf, the Goa, Daman and Diu Housing Board with the previous approval of the Government hereby makes the following regulations so as to amend the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982, namely:—

1. *Short title and commencement*.— (1) These regulations may be called the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) (Amendment) Regulations, 1984.

(2) They shall come into force at once.

2. *Amendment of regulation 6.* — In regulation 6 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982, for sub-regulation (2), the following shall be substituted, namely: —

“(2) The deposit payable shall be Rs. 5,000/- for Low Income Group, Rs. 7,500/- for Middle Income Group, Rs. 10,000/- for Higher Income Group and Rs. 500/- for Economically Weaker Sections of Community. The deposit so made shall bear simple interest at the same rate as fixed by the banks for Savings Account, at the time the deposits are made by the applicants.”

V. R. Naik, Chairman.

Panaji, 21st June, 1984.

Finance Department (Revenue and Control)

Notification

1/150/82-Fin (R & C)

In exercise of the powers conferred by sub-section (1) and clauses (f) and (m) of sub-section (2) of section 22 of the Goa, Daman and Diu Excise Duty Act, 1964 (Act 5 of 1964), and all other powers enabling it on that behalf, the Government of Goa, Daman and Diu, hereby makes the following rules, so as to further amend the Goa, Daman and Diu (Excise Duty) Rules, 1964 namely: —

1. *Short title and commencement.* — (1) These rules may be called the Goa, Daman and Diu (Excise Duty) (Tenth Amendment) Rules, 1984.

(2) They shall come into force at once.

2. *Amendment of rule 43A.* — In rule 43A of the Goa, Daman and Diu (Excise Duty) Rules, 1964, the following proviso shall be inserted, namely: —

“Provided that the licensed manufacturer may manufacture beer with alcoholic strength not exceeding 8% v. v. or 14.03% of proof spirit for the purpose of export only.”

By order and in the name of the Administrator of Goa, Daman and Diu.

K. M. Nambiar, Under Secretary (Finance-Exp).

Panaji, 22nd June, 1984.

Notification

1/150/82-Fin (R & C)

In exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Excise Duty Act, 1964 (Act 5 of 1964), the Government of Goa, Daman and Diu is pleased to amend the Notification No. Fin (Rev)/2-35/15/75(A) dated 25-3-1976, published in the Official Gazette, Series I (Extraordinary), No. 52 dated 25-3-1976 (hereinafter called the “principal notification”), as follows, namely: —

In the principal notification, for the expression, “as may be in excess of twenty five paise

per bulk litre” the expression “as may be in excess of twenty five paise per bulk litre in respect of beer of alcoholic strength not exceeding 5% v. v. or 8.77% of proof spirit and in excess of fifty paise per bulk litre in respect of beer of alcoholic strength exceeding 5% v. v. or 8.77% of proof spirit but not exceeding 8% v. v. or 14.03% of proof spirit”, shall be substituted.

2. This notification shall come into force at once.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. M. Nambiar, Under Secretary (Finance-Exp).

Panaji, 22nd June, 1984.

Law Department (Legal Advice)

Drafting Section

Notification

LD/1/9/84-(D)

The Prevention of Damage to Public Property Act, 1984 (No. 3 of 1984) which has been assented to by the President of India on the 16th March, 1984 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 16th March, 1984, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 13th June, 1984.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 16th March, 1984/Phalguna 26, 1905 (Saka)

The following Act of Parliament received the assent of the President on the 16th March, 1984, and is hereby published for general information: —

The Prevention of Damage to Public Property Act, 1984

No. 3 of 1984

[16th March, 1984.]

An Act to provide for prevention of damage to public property and for matters connected therewith.

Be it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows: —

1. *Short title, extent and commencement.* — (1) This Act may be called the Prevention of Damage to Public Property Act, 1984.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 28th day of January, 1984.

2. *Definitions.* — In this Act, unless the context otherwise requires, —

(a) "mischief" shall have the same meaning as in section 425 of the Indian Penal Code; 45 of 1860.

(b) "public property" means any property, whether immovable or movable (including any machinery) which is owned by, or in the possession of, or under the control of —

(i) the Central Government; or

(ii) any State Government; or

(iii) any local authority; or

(iv) any corporation established by, or under, a Central, Provincial or State Act; or

(v) any company as defined in section 617 of the Companies Act, 1 of 1956. 1956; or

(vi) any institution, concern or undertaking which the Central Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the Central Government shall not specify any institution, concern or undertaking under this sub-clause unless such institution, concern or undertaking is financed wholly or substantially by funds provided directly or indirectly by the Central Government or by one or more State Governments, or partly by the Central Government and partly by one or more State Governments.

3. *Mischief causing damage to public property.* —

(1) Whoever commits mischief by doing any act in respect of any public property, other than public property of the nature referred to in sub-section (2), shall be punished with imprisonment for a term which may extend to five years and with fine.

(2) Whoever commits mischief by doing any act in respect of any public property being —

(a) any building, installation or other property used in connection with the production, distribution or supply of water, light, power or energy;

(b) any oil installations;

(c) any sewage works;

(d) any mine or factory;

(e) any means of public transportation or tele-communications, or any building, installation or other property used in connection therewith,

shall be punished with rigorous imprisonment for a term which shall not be less than six months, but which may extend to five years and with fine:

Provided that the court may, for reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than six months.

4. *Mischief causing damage to public property by fire or explosive substance.* — Whoever commits an offence under sub-section (1) or sub-section (2) of section 3 by fire or explosive substance shall be punished with rigorous imprisonment for a term which shall not be less than one year, but which may extend to ten years and with fine:

Provided that the court may, for special reasons to be recorded in its judgment, award a sentence of imprisonment for a term of less than one year.

5. *Special provisions regarding bail.* — No person accused or convicted of an offence punishable under section 3 or section 4 shall, if in custody, be released on bail or on his own bond unless the prosecution has been given an opportunity to oppose the application for such release.

6. *Saving.* — The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force, and nothing contained in this Act shall exempt any person from any proceeding (whether by way of investigation or otherwise) which might, apart from this Act, be instituted or taken against him.

7. *Repeal and saving.* — (1) The Prevention of Damage to Public Property Ordinance, 1984, is hereby repealed. 3 of 1984.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.